

# The Journal of Conventional Weapons Destruction

---

Volume 24  
Issue 1 *The Journal of Conventional Weapons  
Destruction Issue 24.1*

---

Article 8

July 2020

## A New Approach to Understanding, Achieving, and Demonstrating IMAS Compliance

David Hewitson  
*Fenix Insight, Ltd.*

Follow this and additional works at: <https://commons.lib.jmu.edu/cisr-journal>



Part of the [Other Public Affairs, Public Policy and Public Administration Commons](#), and the [Peace and Conflict Studies Commons](#)

---

### Recommended Citation

Hewitson, David (2020) "A New Approach to Understanding, Achieving, and Demonstrating IMAS Compliance," *The Journal of Conventional Weapons Destruction*: Vol. 24 : Iss. 1 , Article 8.  
Available at: <https://commons.lib.jmu.edu/cisr-journal/vol24/iss1/8>

This Article is brought to you for free and open access by the Center for International Stabilization and Recovery at JMU Scholarly Commons. It has been accepted for inclusion in The Journal of Conventional Weapons Destruction by an authorized editor of JMU Scholarly Commons. For more information, please contact [dc\\_admin@jmu.edu](mailto:dc_admin@jmu.edu).

# A NEW APPROACH TO UNDERSTANDING, ACHIEVING, AND DEMONSTRATING IMAS COMPLIANCE

By David Hewitson [ Fenix Insight Ltd. ]

**M**ine action organizations routinely state that they are “IMAS compliant,” but it isn’t clear exactly what that means, how anyone knows with confidence whether they are compliant or not, or who is authorized to make such statements. This article draws on recent work by Fenix Insight Ltd. to database the requirements and recommendations found in IMAS, setting out a rigorous, evidence-based approach to answering key questions about the compliance status of mine action organizations. It suggests methods for determining which requirements are relevant to which organizations, what different levels of compliance there might be, and how to integrate compliance checking into established approaches to tendering, accreditation, and organizational monitoring processes. The article describes the freely available Fenix IMAS compliance database tool.

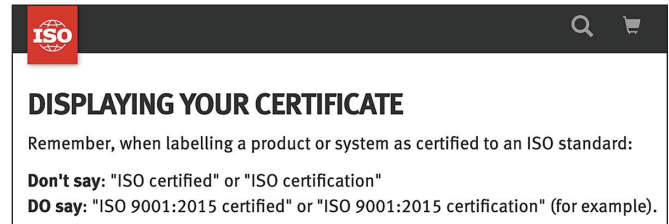
## WHAT IS IMAS COMPLIANCE?

Mine action organizations (MAOs) like to say “we’re IMAS compliant,” but what does that mean, how does anyone know for sure, and is it appropriate for organizations to “self-declare” on such a significant matter? The question is one that may sometimes be addressed within the narrow confines of a specific activity, but to a great extent the sector has chosen to set the question to one side.

The reality is that no organization, whether national authority, mine action center (MAC), or operator needs to satisfy every requirement in IMAS. Some requirements are clearly focused on specific levels of actors, such as the responsibilities of a national mine action authority (NMAA), while others relate to activities that some organizations don’t engage in (programs that do not use animal detection systems need not seek to comply with those IMAS).

There is also the fundamental question of what constitutes a requirement in IMAS. Each IMAS includes an explanation of how the words *shall*, *should*, and *may* are used. *Shall* indicates “requirements, methods or specifications which are to be applied in order to conform to the standard.” *Should* indicates “the preferred requirements, methods or specifications.” *May* indicates “a possible method or course of action.” The language suggests that only *shall* statements must be complied with in order to “conform to the standard.” *Should* statements are preferred, but as such appear to constitute recommendations. In quality management terms, a failure to satisfy a *shall* statement would represent a non-conformity, but the status of a failure to satisfy a *should* statement is less clear.<sup>1</sup>

Extracting a concise set of applicable requirements and recommendations from the substantial body of documentation that is IMAS is difficult to do. That difficulty brings uncertainty among operators, monitors, accreditors, clients, and authorities as to exactly what IMAS compliance means.



## WHAT DOES COMPLIANCE MEAN IN OTHER STANDARDS REGIMES?

The IMAS system has always sought to reflect the principles, approaches, and the language found in the International Organization for Standardization (ISO) system. The first thing to note is that no one says “we’re ISO compliant.” Instead they are more likely to say we are “ISO-9001 certified,” or “we are an ISO 14001 organization.” The question of ISO compliance is one that focuses on specific standards rather than the generality of the overall system—not surprising when ISO has published 23,098 standards to date focusing on specific industries including food safety, agriculture, and technology as well as the widely applicable quality, environmental, and safety management standards that are more familiar to the mine action sector.<sup>2</sup>

The ISO approach to confirming compliance consists of three operational levels. The main burden of determining compliance is placed upon those organizations seeking to gain and maintain certification against the various standards.<sup>3</sup> Internal auditing processes, applied by the certified organizations themselves, are central to concepts of ISO compliance. The next tier of compliance management comes with the certification bodies: the organizations that have been accredited to inspect and monitor applicant organizations and issue certificates of compliance. In addition to conducting standard-specific certification and recertification inspections (every three years), certifying bodies also engage in ongoing compliance monitoring through annual surveillance inspections. Above the certification bodies lie the accreditation bodies, of which there is only one per ISO member country.<sup>4</sup> The accreditation bodies confirm the competence of the certification bodies.

Many MAOs have chosen to adopt ISO standards: most commonly ISO 9001 (the quality management systems standard) but increasingly ISO 14001 (for environmental management systems) and ISO 45001 (for occupational health and safety management systems). As such they will have engaged a certification body to inspect their system and check for evidence that it is being applied. Most MAOs do not need to have direct contact with an ISO accreditation body.

## SIMILARITIES AND DIFFERENCES

There are parallels and some important differences between the ISO approach to compliance and that associated with IMAS. The

Figure 1. Direction on communicating ISO certification status (including the applicable edition of the standard).  
Figure courtesy of [www.iso.org/certification](http://www.iso.org/certification).

most obvious potential parallel is that of *standard-specific compliance*. Different mine action actors engage in different activities. It makes sense for them to seek and declare compliance with only those parts of the IMAS system that are directly relevant to what they do.

One important difference between an IMAS and an ISO-standard is that an organization typically adopts an ISO standard in its entirety. Different elements of the standard demand different responses from different parts of the organization (such as senior management, designers, workers, etc.), but the whole standard applies to the organization using it. An IMAS is different, imposing different requirements on different organizations, such as NMAAs, MACs, MAOs, and occasionally specialist function providers such as monitors. With an ISO standard, an organization knows it must embrace the standard entirely, even if it needs to think about implications for different parts of its own structures. When a mine action actor seeks to adopt an IMAS it must first disentangle which parts are applicable to its own roles and responsibilities.

There are also similarities and differences in the use of language to communicate the *degree of compliance*. Both IMAS and ISOs identify important verbal forms and describe how they are to be interpreted; ISO identifies the following:

- shall indicates a requirement<sup>5</sup>
- should indicates a recommendation<sup>6</sup>
- may indicates a permission
- can indicates a possibility or a capability<sup>7</sup>

ISO documents almost exclusively use shall within the main body of *normative* text found in standards. Should is generally confined to informative annexes or guidance documents.<sup>8</sup> IMAS adopts a similar terminology structure (although without the use of can), but it contains a greater mix of shall and should statements than is the case in comparable ISO documents.<sup>9</sup>

While there is no doubt that any organization seeking to comply with IMAS must satisfy every shall statement, the status of should statements is not quite so clear, but it is reasonable to expect that any organization serious about its professional commitment, performance, and reputation would embrace should statements as well. The role of may is sometimes also uncertain, primarily because it often appears in IMAS with its other English-language meaning of “possibility” rather than

“permission.” Similarly, there are occasions when words and phrases such as “must” or “it is required that” are used in IMAS strongly implying a shall statement without explicitly using the word shall.

The other important parallel is the emphasis on a rolling program of self-assessment as the core method for an organization to maintain compliance. External checking (whether by an ISO certification body or a mine action monitoring agency) plays its part, but its primary role is to confirm that internal compliance management is comprehensive, rigorous, and effective.

IMAS also includes a more substantial body of background explanations, guidance, educational material, and advice than is found in the ISO system. ISO tends to separate standards that only contain specific requirements from supporting or guidance documents, which provide advice on how to satisfy those standards.<sup>10</sup>

## A “FILTERED” APPROACH TO IMAS COMPLIANCE

Bringing confidence to operators, monitors, and authorities about IMAS compliance requires the ability to apply the different “filters” described previously:

- filtering by activity, only selecting those standards that are relevant to the organization’s activities
- filtering by “stakeholder,” identifying only those aspects of the relevant IMAS that are applicable to the roles and responsibilities of the organizations
- identifying the degree of compliance that the organization wishes to assess against, i.e., “shall” requirements alone, or “should” recommendations and “may” permissions as well?

The first step in the filtering process is relatively easy. A review of the list of applicable IMAS allows an organization’s managers to identify those that are relevant, although even here bringing a more considered approach to the idea of standard-specific compliance may raise questions within some organizations. Many MAOs will identify the core operational IMAS—surrounding practical survey and clearance work—as being relevant to what they do. Most will also wish to show that they comply with the standards relating to quality, safety, and environmental management. It is not so clear whether MAOs will also feel it necessary to demonstrate compliance with some of the supporting standards. By thoroughly considering the actual requirements of different IMAS afresh, organizations will be able to more carefully decide with which standards they will declare compliance.

The other two filtering steps (stakeholder level and degree of compliance) are harder to complete. Extracting only those requirements that are relevant to a specific level of stakeholder can be done but is a burdensome task. Similarly, identifying different levels of compliance requires searches within each standard, a process that may be necessary to do again whenever the range of activities an organization engages in changes.

## DATABASING IMAS

To make the process of filtering relevant requirements and recommendations easier, Fenix has incorporated normative elements of IMAS into a database available for free at [www.mineaction.net](http://www.mineaction.net).

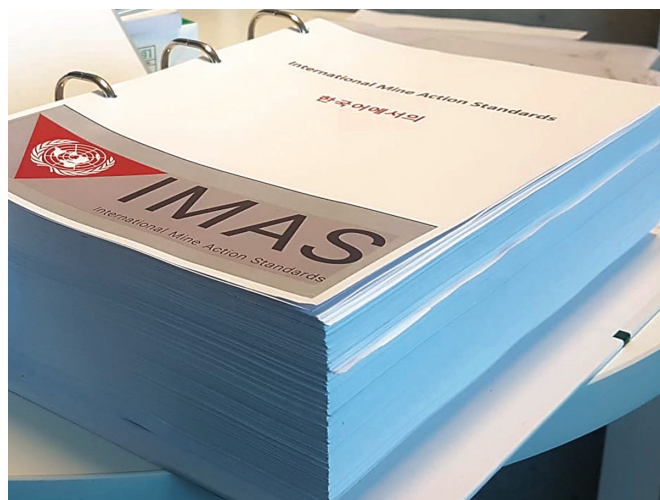


Figure 2. The scale of the task: IMAS in full, printed out in hard copy. Figure courtesy of the author.

IMAS #	Section	Degree of Compliance	Requirement text	Stakeholders	Save
9.30	4.1	Set	Such a [EOD] capability shall include the preparation of appropriate procedures for neutralisation and dismantling, the us...	NMAC MAO	☆
9.30	4.1	May	The development of a safe and effective EOD capability may require the establishment of levels of expertise to cope with...	NMAA NMAC MAO	☆
9.30	4.1	Should	As a general rule, operators should deal only with those items and situations for which they have been trained and autho...	MAO	☆
9.30	4.2	Should	EOD qualifications should be appropriate to the hazard and the munitions most likely to be found.	MAO	☆
9.30	4.2	Set	The qualifications of all EOD operators shall satisfy the requirements and regulations of the NMAA, or the authority act.	NMAA NMAC MAO Site	☆

Figure 3. Mineaction.net main search page filtered for one IMAS and two stakeholder options.

Figure courtesy of the author.

The result is a simple tool that can be used in multiple ways. The database was designed to make it easy to develop focused checklists that allow mine action managers to identify only those requirements and recommendations specifically applicable to their own organization's activities, roles, and responsibilities. The extensive, hard-to-define, and often uncertain topic of "IMAS compliance" is turned into bite-sized chunks that contain only the specific text extracts relating to compliance.

Targeted checklists help managers assess their own organization or project's degree of compliance quickly and comprehensively. However, checklists are also intended to make it easier for monitors, whether internal or external, to include questions of IMAS compliance in their ongoing inspection schedules. Possible extensions of the same applications to accreditation and contracting processes are clear and have already been identified by larger potential institutional users and national authorities.

The database approach also allows a user to select a keyword, search the system, identify relevant entries in IMAS, and then do so again seconds later for another topic of immediate interest or importance. Users can approach the entirety of IMAS on a cross-cutting basis from a thematic perspective. This system has transformed early users' ability to interact with IMAS. During meetings, questions along the lines of "what does IMAS say about..." can now be answered immediately and follow-on questions about other topics can be addressed just as quickly.


Making it easier to engage with IMAS in practical terms may encourage authorities, operators, and clients to define more clearly what they mean by IMAS compliance and what they expect from those organizations that wish or are required to demonstrate compliance.

The database is just a tool, albeit a useful tool. As such it has limitations. Firstly, it only contains normative text, so none of the explanatory or advisory information that makes up much of the material in IMAS is included.<sup>11</sup> Secondly, the system does not provide any guidance (at least at this stage) on how to demonstrate compliance.

That means this tool is not a substitute for the documented standards themselves, available through the IMAS website at [www.mineaction-standards.org](http://www.mineaction-standards.org). It is still important that anyone serious about compliance with IMAS have some familiarity with the full body of relevant text. Similarly, the range of publications and training packages offered by the Geneva International Centre for Humanitarian Demining and other institutions, addressing the expectations and meanings of core concepts in IMAS, remain as important as ever. This simple tool can potentially transform the way that mine action actors engage with, understand, and demonstrate compliance with IMAS.

## WHERE NEXT?

The mineaction.net team is already looking into bringing other material into the system. Obvious candidates include IMAS in other languages (one possible project is already under consideration), National Mine Action Standards (NMAS), Technical Notes for Mine Action (TNMA), and relevant parts of the informative Annexes in IMAS.<sup>12</sup> Selected standards from the International Ammunition Technical Guidelines (IATGs), which use the same language of *shall*, *should*, and *may* have already been incorporated into the database to investigate any adjustments that may be necessary to accommodate them. Further investigation is under way into the potential benefits of adopting a similar databasing approach to the main instruments of international humanitarian law that apply to the mine action sector.

The team is also working to extend the compliance management functionality available through the site to include (1) the ability to save and maintain multiple check lists, e.g., for different country programs, projects, and contracts; (2) list sharing, i.e., so that checklist "owners" can share selected lists with monitors, accreditors, authorities, clients, donors, and other members of their own teams; (3) documentation of compliance evidence; and (4) the idea of "smart updates" when users would be automatically notified whenever changes in new editions or amendments to an IMAS affect any of their saved compliance check lists. Fenix hopes to be able to make these additional features available later this year. 

See endnotes page 69

### David Hewitson Fenix Insight Ltd.



David Hewitson has been working in mine action for almost thirty years. He conducted practical clearance of landmines in Afghanistan, Angola, Cambodia, and Mozambique establishing and managing field programs. In 1995, he founded a commercial demining company and employed more than 3,000 people in projects all over the world. He was an early adopter of the ISO 9000 quality management system and has driven implementation of associated environmental and safety management standards. He has drafted IMAS for Land Release, Non-technical and Technical Survey, Quality Management, and Risk Management and Monitoring of mine action organizations. As a director of Fenix, he engages in technical field operations as well as wider governmental and institutional advisory work. Before joining the mine action sector, he served in surface ships and submarines in the Royal Navy. He has a degree in Aeronautical and Astronautical Engineering.